

Appl. No. 09/831,930
Amendment and/or Response
Reply to FINAL Office action of May 8, 2003

Page 7 of 10

REMARKS/DISCUSSION OF ISSUES

Claims 15-22 are pending in the present application.
Claims 15 and 22 are the independent claims.

Objections to the Drawings

The Office Action objects to the drawings under 37 CFR §1.83(a). Applicants' attorney has reviewed the drawings and respectfully traverses this objection, particularly in view of the present amendment to the claims. To this end, the network couplers (8) are coupled by symmetrical twisted wires (1,2, and Fig. 3, for example). The differential data voltages (e.g., $\pm D$) are transmitted by the wires (1, 2). As such, it is respectfully requested that these objections be withdrawn, and that the drawings be approved.

Objections to the Specification

The amendments to the specification at page 2 are believed to overcome the objection to the specification. As such, it is respectfully requested that this objection be withdrawn.

Objections to the Claims

The Office Action objects to the claims under 37 CFR § 1.75(c). It is respectfully submitted that the amendments to the claims renders these objections moot, and respectfully requested that these objections be withdrawn.

Rejections Under 35 USC § 102(e)

Claims 15 and 22 were rejected under 35 USC § 102(e) as being anticipated by De Nicolo (U.S. Patent 6,115,468). For at least the reasons that follow, it is respectfully submitted that claims 15 and 22 are allowable over the applied reference.

Atty. Docket No. DE 000004

Appl. No. 09/831,930
Amendment and/or Response
Reply to FINAL Office action of May 8, 2003

Page 8 of 10

To properly establish a *prima facie* case of anticipation, all of the claims elements must be found in the prior art. It follows, therefore, that if a *single* claimed element is not found in the prior art, a *prima facie* case of anticipation cannot be properly established.

Claims 15 and 22, as amended, are drawn to a network connection and use of a cable, respectively. Moreover, claims 15 and 22 each feature at least two symmetrical twisted wires, which "...transmit differential voltages having equal magnitudes and opposite polarities, the differential voltages being supplied to and from the plurality of network users."

For example, according to an embodiment, wires 1 and 2 are symmetrical and transmit differential data (+D and -D). (Kindly refer to page 4, lines 3-17 of the application for further details.)

It is respectfully submitted that the reference to *De Nicolo* lacks at least the referenced features of claims 15 and 22. To this end, *De Nicolo* indeed teaches the use of twisted pair wires (e.g. 128a of Fig. 3 of the reference) for use in Ethernet applications. However, there is neither a teaching nor a suggestion in *De Nicolo* that the twisted pairs are symmetrical. Moreover, the reference to *De Nicolo* lacks the teaching or suggestion that the twisted pair transmit differential voltages, as is specifically claimed.

Accordingly, because the applied reference to *De Nicolo* lacks the disclosure of at least one of the claimed elements, a proper *prima facie* case of anticipation cannot be made. As such, it is respectfully requested that the rejection under 35 USC § 102(e) in view of *De Nicolo* be withdrawn and that claims 15 and 22 and the claims that depend from claim 15 be allowed.

Atty. Docket No. DE 000004

Appl. No. 09/831,930
Amendment and/or Response
Reply to FINAL Office action of May 8, 2003

Page 9 of 10

Rejections Under 35 USC § 103(a)

Claims 16-21 were rejected under 35 USC § 103(a) as being unpatentable over *De Nicolo* in view of *Nugent* (U.S. Patent 6,066,799).

Because claims 16-21 depend directly or indirectly from claim 15, and since claim 15 believed to be allowable over the applied reference, claims 16-21 are also allowable over the applied art. As such, and while Applicants in no way concede that the obviousness-type rejections set forth in the Office Action are proper, or that the combination of *De Nicolo* and *Nugent* is proper, further discussion of this rejection is believed unnecessary.

Conclusion

In view of the foregoing, applicant(s) respectfully request(s) that the rejections of record be withdrawn, that all pending claims be allowed, and that the application be passed to issue.

If any points remain in issue, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below, so that late fees may be avoided.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies to charge payment or credit any overpayment to Deposit Account Number 50-0238 for any additional fees under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17.

Atty. Docket No. DE 000004

Appl. No. 09/831,930
Amendment and/or Response
Reply to FINAL Office action of May 8, 2003

Page 10 of 10

Respectfully submitted on behalf of
Philips Electronics N.A., Corp.



by: William S. Francos
(Reg. No. 38,456)

August 8, 2003
Volentine Francos, PLLC
2 Meridian Blvd.
Wyomissing, PA
(610) 375-3513

FAX RECEIVED

AUG 8 2003

TECHNOLOGY CENTER 2800

OFFICIAL

Atty. Docket No. DE 000004